



Northern Review

of Legislative & Regulatory Actions

The U.S. Army Regional Environmental & Energy Office

January 2019

The *Northern Review* publishes environmental and energy related developments for DOD/Army leaders and installation staff. Covering the 22 states and territories in Federal Regions 1, 2, 3, and 5, the *Northern Review* gives early notice of legislative and regulatory activities relevant to DOD interests. For installations that implement an environmental management system in accordance with ISO 14001 specifications, the content of the *Review* may help them identify emerging requirements.

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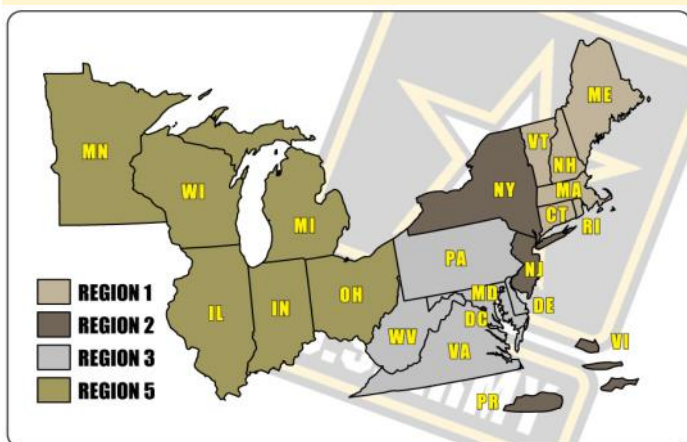


TABLE OF CONTENTS

Region 1	2
Region 2	5
Region 3	8
Region 5	11
Federal Activity	16
DOD Activity	20
Professional Development.....	21
Staff Directory	25

EPA AWARD FOR JOLIET PLANT

The U.S. Environmental Protection Agency (EPA) [recognized](#) recipients of its first annual National Federal Facility Excellence in Site Reuse award, including the former Joliet Army Ammunition Plant (AAP) in Joliet, Illinois, during a December award ceremony.

According to the EPA announcement, EPA established the award in 2018 to, "recognize the hard work, innovative thinking, and cooperation among federal agencies, states, tribes, local partners, and developers to encourage restoration of federal sites for beneficial reuses. Cleaning up contaminated sites at federal facilities can serve as a catalyst for economic growth and community revitalization."

Joliet AAP received its award at EPA Region 5 Headquarters in Chicago, presented by Ms. Cathy Stepp EPA Region 5 Administrator. Joliet was selected from more than 20 candidates. EPA credited Joliet for transforming into multiple beneficial use areas for the community, including a veteran's cemetery, business and transportation hub, and natural resource conservation areas. The public land space on the site is the largest contiguous open space for bird habitat in northeastern Illinois and serves as a habitat for several endangered species.

Individual certificates associated with the award were additionally presented to Art Holz, Joliet BRAC Environmental Coordinator (Retired), and Ms. Joan Jackson and Mr. Andrew Maly of the U.S. Army Environmental Command.

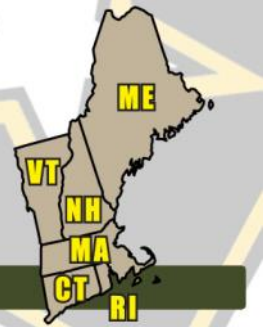
The award is divided into four categories: National Priority List (NPL) sites; Non-NPL Cleanup; NPL Base Realignment and Closure (BRAC); and Non-NPL BRAC. Joliet's award was given in the NPL award category.

Other awardees were:

- Naval Air Station Glenview, Illinois—Award Category: non-NPL BRAC
- Former McClellan Air Force Base, Sacramento County, California—Award Category: NPL BRAC
- Tysons Valley Powder Farm, Missouri—Award Category: non-NPL

Region 1

For more information or to comment on any state issues in Region 1, contact [Kevin Kennedy](#), Region 1 Program Coordinator, (410) 278-6168.



TRANSPORTATION CARBON CAP TRADE IN NORTHEAST. In December, nine Northeastern states and DC [announced](#) their intent to design a new regional low-carbon transportation policy proposal that would cap and reduce carbon emissions from the combustion of transportation fuels, and invest proceeds from the program into low-carbon and more resilient transportation infrastructure. The states issued a [statement](#) that describes the goals of the program, including reducing climate changing pollution, creating economic opportunity, and improving transportation equity for currently underserved and overburdened populations. It also sets a goal of completing the policy design process within one year, after which each jurisdiction will decide whether to adopt and implement the policy. To learn more, click [here](#).



LEGISLATIVE SESSION: 9 JAN 19 THROUGH 5 JUN 19 (EST), SINE DIE

FEDERAL ACTIVITY

VOC EMISSIONS FROM CONSUMER PRODUCTS AND AIM COATINGS. EPA has issued a correction to a previously issued [final rule](#) that approved a State Implementation Plan (SIP) revision submitted by the state of Connecticut ([83 FR 62466](#)). The SIP revision amended requirements for controlling volatile organic compound (VOC) emissions from consumer products and architectural and industrial maintenance (AIM) coatings. The correction fixes the preamble in the "Dates" section of the final rule. A notice of the original final rule was published in the December 2018 *Northern Review*. The correction became effective 4 DEC 18.



LEGISLATIVE SESSION: 5 DEC 18 THROUGH 19 JUN 19 (EST), SINE DIE

FEDERAL ACTIVITY

INFRASTRUCTURE SIP REQUIREMENTS FOR 2010 SO₂ NAAQS. EPA has issued a proposed rule to approve elements of a SIP revision submitted by the state of Maine ([83 FR 66184](#)). The revision addresses the Clean Air Act (CAA) infrastructure and interstate transport requirements for the 2010 sulfur dioxide (SO₂) National Ambient Air Quality Standards (NAAQS). The infrastructure requirements are designed to ensure that the structural components of each state's air quality management program are adequate to meet the state's CAA responsibilities. Comments are due 25 JAN 19.



LEGISLATIVE SESSION: 2 JAN 19 THROUGH TBD

FEDERAL ACTIVITY

SIP AIR PLAN APPROVAL. EPA has issued a proposed rule to approve SIP revisions submitted by the commonwealth of Massachusetts ([83 FR 62532](#)). The revisions establish a 2011 base year emissions inventory, an emissions statement

certification, update to an existing stationary source registration program, and requirements to be undertaken during air pollution emergencies. The comment period closed 3 JAN 19.

HIGH OCCUPANCY VEHICLE LANES. EPA has issued a proposed rule to approve a SIP revision submitted by the commonwealth of Massachusetts ([83 FR 64495](#)). The revision allows the Massachusetts Department of Transportation to construct and operate specified transit facilities and high occupancy vehicle lanes. This action should reduce vehicle miles traveled and traffic congestion in the Boston Metropolitan Area. Massachusetts has adopted these revisions to reduce emissions of VOC, particulate matter (PM), and nitrogen oxides (NO_x). Comments are due 16 JAN 19.

FINAL RULES

CALIFORNIA MOTOR VEHICLE GREENHOUSE GAS (GHG) STANDARDS. The Massachusetts Department of Environmental Protection (MassDEP) has [adopted](#) (page 65) an emergency regulation amending 310 CMR 7.40, *Low Emission Vehicle Program*. The amendments address the California motor vehicle GHG standards for model years 2021 through 2025 passenger cars, light-duty trucks, and medium-duty passenger vehicles. To comply with CAA Section 177, MassDEP's vehicle standards must be identical to California's vehicle standards. The amendments have been adopted as an emergency regulation in order to be consistent with California's regulations. The emergency regulation became effective 13 DEC 18 and expires 13 MAR 19.

CO₂ BUDGET TRADING PROGRAM AUCTION REGULATION. The Massachusetts Department of Energy Resources (DOER) has [adopted](#) (page 213) amendments to 225 CMR 13.00, *DOER CO₂ budget trading program auction regulation*. DOER has adopted these amendments concurrently with MassDEP's revisions to 310 CMR 7.70, *CO₂ Budget Trading Program*. Together, these amendments implement the changes announced by Governor Charlie Baker 23 AUG 17, to revise the Regional Greenhouse Gas Initiative (RGGI) program by reducing the regional cap and implementing programmatic changes, including the auction process, consistent with a model rule developed by the nine states participating in RGGI. The amendments became effective 28 DEC 18.

AMENDMENTS TO TOXIC OR HAZARDOUS SUBSTANCE LIST. The Massachusetts Executive Office of Energy and Environmental Affairs (EOEA) has [adopted](#) (page 225) amendments to 301 CMR 41.00, *Toxic or Hazardous Substance List*. The amendments implement changes to the list of chemicals made by the Administrative Council on Toxics Use Reduction, pursuant to the 2006 statutory amendments to the Toxics Use Reduction Act (TURA). Two of the amendments are mandated by TURA, which requires that changes made by EPA to the Emergency Planning and Community Right to Know Act (EPCRA) Section 313 Toxic Chemical List be mirrored in the state regulation (301 CMR 41.00). The amendments became effective 28 DEC 18.

OTHER REGULATORY ACTIVITY

MASSACHUSETTS GLOBAL WARMING SOLUTIONS ACT 10-YEAR PROGRESS REPORT. EOEA has [released](#) the *Commonwealth of Massachusetts Global Warming Solutions Act 10-Year Progress Report*. The Global Warming Solutions Act (GWSA) was signed into law in 2008, and established GHG emissions reduction limits of 25 percent reduction below the 1990 baseline level by 2020 and at least 80 percent reduction by 2050. The report shows that GHG emissions in Massachusetts in 2016 were 21.4 percent below the 1990 baseline level. The decrease in GHG emissions comes despite a 13 percent growth in population and 24 percent growth in vehicle miles traveled.



LEGISLATIVE SESSION: 2 JAN 19 THROUGH 30 JUN 19 (EST), SINE DIE

FEDERAL ACTIVITY

SIP REQUIREMENTS FOR 2012 PM_{2.5} NAAQS. EPA has issued a final rule approving two SIP revisions submitted by the state of New Hampshire ([83 FR 62464](#)). The revisions address the CAA infrastructure SIP requirements, including

interstate transport requirements for the 2012 fine particle (PM_{2.5}) NAAQS. The approval does not address CAA section 110(a)(2)(K) regarding air quality modeling and data, which EPA will address in a later rulemaking. The final rule became effective 3 JAN 19.

TRANSPORT ELEMENT FOR 2010 SO₂ NAAQS. EPA has issued a final rule approving a SIP revision submitted by the state of New Hampshire ([83 FR 64470](#)). The revision addresses the interstate transport requirements of the CAA, referred to as the good neighbor provision, with respect to the 2010 SO₂ NAAQS. The final rule approves New Hampshire's demonstration that the state is meeting its obligations regarding the transport of SO₂ emissions into other states. The final rule became effective 16 JAN 19.

FINAL RULES

DRINKING WATER QUALITY STANDARDS FOR PUBLIC WATER SYSTEMS. The New Hampshire Department of Environmental Services (NHDES) has [readopted](#) with amendments [Env-Dw 702 through 706](#), which apply to public water systems (PWS). These rules establish maximum contaminant levels (MCLs), MCL goals, and secondary MCLs for various contaminants, including bacteria, radionuclides, inorganic chemicals, and organic and synthetic organic chemicals. The amendments align the rules with the federal standards and are required for the state to retain primacy over the program. A notice of the proposed readoption was published in the June 2018 *Northern Review*. The readoption became effective 1 JAN 19.

PWS—MONITORING REQUIREMENTS, LABORATORY ANALYTICAL METHODS, AND SAMPLE SCHEDULES. NHDES has [readopted](#) two separate rules with amendments, [Env-Dw 707](#) and [Env-Dw 708](#), which apply to PWS. The rules in Env-Dw 707 establish general monitoring requirements and laboratory analytical methods. The amendments replace the term "owner" with "O/O" (Owner or Operator) to reflect the change in terminology required by EPA. The rules in Env-Dw 708 establish the parameters for sampling schedules for PWS, including: (1) sampling points; (2) sampling frequency for a variety of contaminants; (3) process and criteria for a PWS to request reductions in sampling frequency; and (4) actions required of PWS when contaminants are detected. The amendments to both rules align state rules with the federal requirements in order to maintain primacy. A notice of both proposed rulemakings was published in the June 2018 *Northern Review*. The readoptions became effective 1 JAN 19.



LEGISLATIVE SESSION: 1 JAN 19 THROUGH 30 JUN 19 (EST), SINE DIE

FEDERAL ACTIVITY

COASTAL MANAGEMENT PROGRAM. The National Oceanic and Atmospheric Administration (NOAA) has scheduled a public meeting to solicit comment on a performance evaluation of the Rhode Island Coastal Management Program ([83 FR 64113](#)). The meeting is scheduled for 5 FEB 19. Comments are due 15 FEB 19.

FINAL RULES

CONTROL OF NO_x EMISSIONS. The Rhode Island Department of Environmental Management (RIDEM) has [adopted](#) amendments to [250-RICR-120-05-27](#), *Control of Nitrogen Oxide Emissions*. RIDEM has eliminated portions of the regulations that no longer apply. The regulation has also been updated to current state Code of Regulations (RICR) format, which required the addition of an incorporated materials section. The amendments became effective 26 DEC 18.

PARTICULATE EMISSIONS FROM FOSSIL FUEL FIRED STEAM OR HOT WATER GENERATING UNITS. RIDEM has [adopted](#) amendments to [250-RICR-120-05-13](#), *Particulate Emissions from Fossil Fuel Fired Steam or Hot Water Generating Units*. Specifically, RIDEM's Office of Air Resources has eliminated certain exemptions found under §§ 13.8(B)(2) and 13.8(B)(3) of the regulation since these sections no longer apply. The amendments became effective 27 DEC 18.

AMENDMENTS TO CO₂ BUDGET TRADING PROGRAM RULES. RIDEM, through two separate rulemakings, has adopted amendments to [250-RICR-120-05-47](#), *CO₂ Budget Trading Program Allowance Distribution*; and [250-RICR-120-05-46](#), *CO₂ Budget Trading Program*. Both rulemakings incorporate the changes made to the RGGI Model Rule, including the size and structure of the cap, budget adjustments, cost containment reserve, emissions containment reserve, and offsets. Both rulemakings became effective 25 DEC 18.



LEGISLATIVE SESSION: 9 JAN 19 THROUGH 12 MAY 20 (EST), SINE DIE

FINAL RULE

AMENDMENTS TO LOW-EMISSION VEHICLE PROGRAM. The Vermont Department of Environmental Conservation (VDEC) has [adopted](#) amendments to the [low emission vehicle \(LEV\) rules](#), which incorporate by reference California's motor vehicle emission standard regulations. Vermont first adopted California's vehicle emission standards in 1996, and VDEC periodically amends its LEV rules to remain consistent with California's standards. California is amending its rules to clarify that vehicle manufacturers may not substitute compliance with federal GHG emissions standards in order to comply with California GHG emissions standards. VDEC's amendments incorporate this change into the state LEV rules. A notice of the proposed amendments was published in the October 2018 *Northern Review*. The amendments became effective 31 DEC 18.

PROPOSED RULE

GROUNDWATER PROTECTION RULE AND STRATEGY. The Vermont Agency of Natural Resources (VANR) has [proposed](#) amendments to the Groundwater Protection Rule and Strategy. The amendments: (1) incorporate the legislative directive that became effective in 2008 making groundwater resources in the state held in trust for the public; (2) create standardized requirements for ensuring activities permitted by VANR will not adversely affect public trust uses of groundwater, including use for drinking water; (3) update the list of groundwater enforcement standards to reflect current numeric guidelines generated by the Vermont Department of Health; and (4) clarify the process for reclassifying groundwater. The Groundwater Protection Rule and Strategy last comprehensive update was in 2005. Public hearings are scheduled for 28, 29 JAN 19, and 2 FEB 19. Comments are due 11 FEB 19.

Region 2

For more information or to comment on any state issues in Region 2, contact [Patrick Timm](#), Army Regional Environmental Coordinator, Region 2, (410) 278-6165.



TRANSPORTATION CARBON CAP TRADE IN NORTHEAST. In December, nine Northeastern states and DC [announced](#) their intent to design a new regional low-carbon transportation policy proposal that would cap and reduce carbon emissions from the combustion of transportation fuels, and invest proceeds from the program into low-carbon and more resilient transportation infrastructure. The states issued a [statement](#) that describes the goals of the program, including reducing climate changing pollution, creating economic opportunity, and improving transportation equity for currently underserved and overburdened populations. It also sets a goal of completing the policy design process within one year, after which each jurisdiction will decide whether to adopt and implement the policy. To learn more, click [here](#).



LEGISLATIVE SESSION: 9 JAN 18 THROUGH 7 JAN 20

PROPOSED LEGISLATION

AB 4775 (SB 3291) STATEWIDE HYDROFLUOROCARBON EMISSION LIMIT, AND MONITORING AND REPORTING PROGRAM.

AB 4775 amends and supplements the *Global Warming Response Act*, to establish a statewide hydrofluorocarbon emission limit. The bill sets a statewide goal of achieving a 40 percent reduction in hydrofluorocarbon emissions below the 2018 level by 2035. The bill also requires the New Jersey Department of Environmental Protection (NJDEP) to establish a hydrofluorocarbon emissions and monitoring program. The bill was referred to the Environment and Solid Waste Committee.

SB 3207 (AB 4821) TIMEFRAMES FOR GLOBAL WARMING RESPONSE ACT IMPLEMENTATION. SB 3207 establishes new timeframes for implementation of certain requirements in the *Global Warming Response Act* and requires NJDEP to adopt a strategy to reduce short-lived climate pollutants. The bill was reported out of the Environment and Energy Committee and referred to the Budget and Appropriations Committee.

PROPOSED RULES

AMENDMENTS TO STORMWATER MANAGEMENT RULES. NJDEP has [proposed](#) amendments to the rules at N.J.A.C. 7:8, *Stormwater Management*. The amendments replace the current requirement that major developments incorporate nonstructural stormwater management strategies to the "maximum extent practicable" to meet groundwater recharge standards, stormwater runoff quantity and quality standards, with a requirement that green infrastructure be utilized to meet these same standards. The proposed amendments also update definitions, total suspended solids (TSS) removal requirements, and rules regarding combined sewer systems. Additionally, the proposal includes amendments to provisions in the Coastal Zone Management rules, the Freshwater Wetlands Protection Act rules, the Flood Hazard Area Control Act rules, the New Jersey Pollutant Discharge Elimination System rules, and the Highlands Water Protection and Planning Act rules in order to update cross-references and incorporate other changes consistent with the proposed amendments to the stormwater management rules. Comments are due 1 FEB 19.

RENEWABLE ENERGY AND ENERGY EFFICIENCY. The New Jersey Board of Public Utilities has [proposed](#) amendments to rules regarding renewable energy and energy efficiency. The amendments address provisions within the state's *Clean Energy Act* that require rulemaking proceedings, including: (1) modifications to the existing solar Renewable Portfolio Standard and Solar Alternative Compliance Payment schedules; and (2) reducing the Solar Renewable Energy Certificate qualification life of a solar electric generation facility. Comments are due 1 FEB 19.

OTHER REGULATORY ACTIVITY

TOXIC CATASTROPHE PREVENTION ACT FEE SCHEDULE REPORT FOR FISCAL YEAR 2019. NJDEP has [adjusted](#) Fiscal Year (FY) 2019 fees to owners and operators of facilities covered under the Toxic Catastrophe Prevention Act (TCPA). TCPA requires NJDEP to assess an annual fee to each owner/operator of a TCPA regulated facility. The annual fee consists of three elements: a base or facility fee, a covered process-derived fee, and an inventory-derived fee. All three fee components are recalculated annually. A notice of the adjusted fees was published 17 DEC 18.



LEGISLATIVE SESSION: 9 JAN 19 THROUGH 6 JAN 21 (EST)

FEDERAL ACTIVITY

STATE LOW EMISSIONS VEHICLE PROGRAM. EPA has issued a proposed rule to approve the state of New York's LEV program as an alternative program to fulfill the CAA Section 185 requirement for the New York portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT nonattainment area for the revoked 1979 1-hour Ozone NAAQS ([83 FR 62771](#)). CAA Section 185 requires fees to be paid, per ton of emissions, by major sources located in ozone nonattainment areas classified as severe or extreme that have failed to attain the NAAQS by the required attainment date. EPA has proposed a finding that New York's LEV program is no less stringent than a CAA Section 185 fee program. The comment period closed 7 JAN 19.

FINAL LEGISLATION

AB 9643 (SB 6916) INCREASE IN PUBLIC COMMENT PERIOD. AB 9643 (Public Act: 408) amends the *State Administrative Procedure Act* to allow more time to comment on proposed rules that agencies have revised. The bill increases the revised rule public comment period from 30 days to 45 days. The bill was signed by the governor 21 DEC 18 and became effective upon signature.

FINAL RULE

EMERGENCY RULE—SPOTTED LANTERNFLY. The New York State Department of Agriculture and Markets has [reissued](#) (page 4) an emergency rule addressing a quarantine of the spotted lanternfly. The spotted lanternfly is an insect nonindigenous to the United States. The emergency rule requires a certificate of inspection from an appropriate state official for importation into New York of articles capable of being infested by or with spotted lanternfly, if the articles originated from or passed through certain counties in Delaware, New Jersey, Pennsylvania, or Virginia. A notice of the previously issued emergency rule, which expired 17 DEC 18, was published in the November 2018 *Northern Review*. A permanent rule has been proposed and is currently going through the rulemaking process. The newly issued emergency rule became effective 10 DEC 18 and expires 3 FEB 19.



LEGISLATIVE SESSION: 15 JAN 17 THROUGH 31 DEC 20 (EST)

PROPOSED LEGISLATION

PC 1745 PROHIBITIONS ON USE OF DISPOSABLE PLASTIC BAGS. PC 1745 amends multiple sections of the *Law for the Promotion of Reusable Bags and the Regulation of the Use of Plastic Bags in Puerto Rico*, for the purpose of redefining the term "disposable plastic bag." The bill: (1) defines disposable plastic bag; (2) extends the prohibition of the use of this type of product in food establishments; and (3) grants concurrent jurisdiction, for enforcement purposes, to the Puerto Rico Department of Natural and Environmental Resources, the Puerto Rico Department of Consumer Affairs, and to the municipalities that approve ordinances relative to the dispositions and prohibitions contained in the bill. The bill passed the House and was referred to the Senate Environmental Health and Natural Resources Committee.

Region 3

For more information or to comment on any state issues in Region 3, contact [Patrick Timm](#), Army Regional Environmental Coordinator, Region 3, (410) 278-6165.



TRANSPORTATION CARBON CAP TRADE IN NORTHEAST. In December, nine Northeastern states and DC [announced](#) their intent to design a new regional low-carbon transportation policy proposal that would cap and reduce carbon emissions from the combustion of transportation fuels, and invest proceeds from the program into low-carbon and more resilient transportation infrastructure. The states issued a [statement](#) that describes the goals of the program, including reducing climate changing pollution, creating economic opportunity, and improving transportation equity for currently underserved and overburdened populations. It also sets a goal of completing the policy design process within one year, after which each jurisdiction will decide whether to adopt and implement the policy. To learn more, click [here](#).



LEGISLATIVE SESSION: 8 JAN 19 THROUGH 30 JUN 19 (EST)

FEDERAL ACTIVITY

CONSISTENCY UPDATE FOR STATE OUTER CONTINENTAL SHELF AIR REGULATIONS. EPA has issued a proposed rule to update a portion of the Outer Continental Shelf (OCS) Air Regulations ([83 FR 62283](#)). Requirements applying to OCS sources located within 25 miles of states' seaward boundaries must be updated periodically to remain consistent with the requirements of the corresponding onshore area (COA), as mandated by CAA section 328(a)(1). The updated portion of the regulations pertains to the OCS sources for which Delaware is the designated COA. The state of Delaware's requirements discussed in this document will be incorporated by reference into the Code of Federal Regulations (CFR) and listed in the appendix to the OCS air regulations. The comment period closed 2 JAN 19.

PROPOSED RULE

AMENDMENTS TO HAZARDOUS SUBSTANCE CLEANUP REGULATIONS. The Delaware Department of Natural Resources and Environmental Control has [proposed](#) amendments to the hazardous substance cleanup regulations. The amendments create a definition of a "certified brownfield" to ensure the remedial responsibilities of the brownfield developer are limited only to the area of the certified brownfield. Additional changes have been made to create consistency between the state and federal brownfields program that will assist in grant writing. Comments are due 24 JAN 19.



LEGISLATIVE SESSION: 2 JAN 19 THROUGH 31 DEC 20 (EST)

PROPOSED RULE

UPDATES TO UNDERGROUND STORAGE TANK REGULATIONS. The District of Columbia (DC) Department of Energy and Environment has [proposed](#) rules to incorporate the new requirements of the 2015 amendments to the federal underground storage tank (UST) regulations at 40 CFR Part 280. The new requirements include: (1) regulation of previously deferred field-constructed USTs and airport hydrant systems; (2) testing of spill prevention and leak detection equipment; (3) containment sump testing; and (4) periodic walkthrough inspections. The rules also update the

requirements for corrective action after releases from USTs, consolidate and update fee requirements, and make clarifying amendments and corrections to the regulations. The rules were required for DC to maintain federal approval of the district program. Comments are due 27 JAN 19.



LEGISLATIVE SESSION: 9 JAN 19 THROUGH 10 APR 19 (EST), SINE DIE

FEDERAL ACTIVITY

CONTINUOUS OPACITY MONITORING REQUIREMENTS FOR MUNICIPAL WASTE COMBUSTORS. EPA has issued a final rule approving a SIP revision submitted by the state of Maryland ([83 FR 64282](#)). The SIP revision clarifies continuous opacity monitoring requirements and visible emission standards for municipal waste combustors and Portland cement plants. The final rule became effective 14 JAN 19.

OTHER REGULATORY ACTIVITY

GENERAL PERMIT FOR DISCHARGES OF STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITY. The Maryland Department of the Environment has [issued](#) (page 31) a final determination for a modification to the General Permit for Discharges of Stormwater Associated With Industrial Activity ([No. 12-SW-A](#)). The modifications update restoration requirements, and include: (1) addition of language that excludes a municipal separate storm sewer system (MS4) from generating credits under the permit; (2) removal of language related to extending the deadline for restoration; and (3) amendments to reporting requirements. General Permit 12-SW-A was set to expire 31 DEC 18. MDE is developing a renewal permit, and until the permit is reissued, the existing permit will be administratively extended. The modifications became effective 7 DEC 18.



LEGISLATIVE SESSION: 1 JAN 19 THROUGH 30 NOV 19

FEDERAL ACTIVITY

NONATTAINMENT NEW SOURCE REVIEW REQUIREMENTS FOR 2008 8-HOUR OZONE STANDARD. EPA has issued a proposed rule to approve a SIP revision submitted by the commonwealth of Pennsylvania ([83 FR 62774](#)). The revision is in response to EPA's 3 FEB 17 Findings of Failure to Submit for various requirements relating to the 2008 8-hour Ozone NAAQS. This SIP revision is specific to nonattainment new source review (NNSR) requirements. The comment period closed 7 JAN 19.

REMOVAL OF SUMMERTIME GASOLINE VOLATILITY REQUIREMENTS FOR PITTSBURGH-BEAVER VALLEY AREA. EPA has issued a final rule approving a SIP revision submitted by the commonwealth of Pennsylvania ([83 FR 65301](#)). The revision removes the requirement limiting summertime gasoline volatility to 7.8 pounds per square inch (psi) Reid Vapor Pressure (RVP) to address nonattainment under the 1-hour Ozone NAAQS in the Pittsburgh-Beaver Valley Ozone nonattainment area. The revision includes a demonstration that amendment of the approved SIP will not interfere with the area's ability to attain or maintain any NAAQS. The final rule becomes effective 22 JAN 19.

FINAL RULES

AMENDMENTS TO STORAGE TANK AND SPILL PREVENTION PROGRAM RULES. Pennsylvania Environmental Quality Board has [adopted](#) amendments to Chapter 245, *Administration of the Storage Tank and Spill Prevention Program*. The amendments strengthen the UST requirements by increasing the emphasis on properly operating and maintaining equipment in accordance with recent federal regulatory requirements. Specifically, the amendments: (1) add a new

certification category for persons who only perform minor modifications of UST systems; (2) shorten the in-service inspection cycle for aboveground storage tanks (AST) in underground vaults and small ASTs; and (3) clarify or correct other provisions. A notice of the proposed amendments was published in the March 2018 *Northern Review*. The amendments became effective 22 DEC 18.

CONSERVATION OF STATE NATIVE WILD PLANTS. The Pennsylvania Department of Conservation and Natural Resources (PDCNR) has [adopted](#) amendments to 17 PA Code Chapter 45, *Conservation of Pennsylvania Native Wild Plants*, to update information and classifications. The proposed amendments update: (1) the classification lists of native wild plants; (2) the scientific and common names of certain native wild plants; and (3) the reference source that PDCNR uses for the names of native wild plants. The amendments became effective 22 DEC 18.



LEGISLATIVE SESSION: 9 JAN 19 THROUGH 9 MAR 19 (EST)

FINAL RULE

SOLID WASTE PLANNING AND RECYCLING REGULATIONS. The Virginia Department of Environmental Quality (VDEQ) has issued a [fast-track regulation](#) amending [9VAC20-130](#), *Solid Waste Planning and Recycling Regulations*. The amendments include: (1) reorganization of the regulation to assist the regulated community with understanding and complying with the regulation's requirements; (2) updates to definitions; and (3) additional details on the calculation of recycling rates. Comments are due 23 JAN 19. Barring adverse comment the fast-track regulation becomes effective 7 FEB 19.

OTHER REGULATORY ACTIVITY

WATER RECLAMATION AND REUSE FORMS. VDEQ has [issued](#) revised forms associated with 9VAC25-740, *Water Reclamation and Reuse Regulation*. Specifically, the forms relate to applications for a Virginia Pollutant Discharge Elimination System Permit or a Virginia Pollution Abatement Permit. A notice announcing the new forms was published 24 DEC 18.



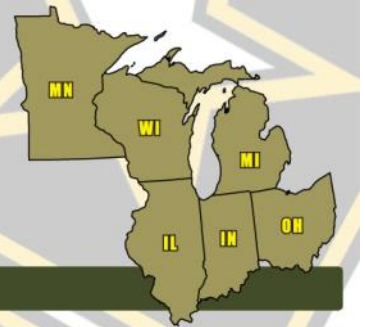
LEGISLATIVE SESSION: 9 JAN 19 THROUGH 9 MAR 19 (EST), SINE DIE

FEDERAL ACTIVITY

REVISIONS TO REGULATION FOR CONTROL OF OZONE SEASON NO_x EMISSIONS. EPA has issued a final rule to approve two SIP revisions submitted by the state of West Virginia ([83 FR 62470](#)). The SIP submittals are comprised of revisions to the West Virginia regulation that implemented the Clean Air Interstate Rule (CAIR) ozone season NO_x trading program. The EPA-administered trading programs under CAIR were discontinued upon the implementation of the Cross-State Air Pollution Rule (CSAPR). The revised state regulation: (1) removes the CAIR ozone season NO_x trading program provisions, which also addressed certain large non-electric utility generating units (EGUs); (2) establishes new requirements for these large non-EGUs; (3) includes a statewide NO_x emissions cap; and (4) recodifies certain other provisions that address the NO_x emission reductions required for cement kilns and internal combustion engines. The final rule became effective 3 JAN 19.

Region 5

For more information or to comment on any state issues in Region 5, contact [Dr. Jim Hartman](#), DOD Regional Environmental Coordinator, Region 5, (410) 278-6991.



REVISED DESIGNATION OF ILLINOIS AND INDIANA 2012 PM_{2.5} UNCLASSIFIABLE AREAS. EPA has issued a final rule to approve two separate requests from the states of Illinois and Indiana regarding designations for the 2012 primary and secondary annual PM_{2.5} NAAQS ([83 FR 66631](#)). Specifically, EPA has approved: (1) redesignating the entire state of Illinois from unclassifiable to unclassifiable/attainment for the 2012 primary and secondary annual PM_{2.5} NAAQS; and (2) redesignating the Indiana portions of the Chicago IL-IN and Louisville KY-IN areas from unclassifiable to unclassifiable/attainment for the 2012 primary and secondary annual PM_{2.5} NAAQS. EPA has approved these requests because valid, quality-assured, and certified ambient air monitoring data show that the PM_{2.5} monitors in the areas are meeting the requirements. This includes data from monitors in Illinois where data substitution rules have been applied consistent with applicable regulations. The final rule becomes effective 28 JAN 19.

XCEL ENERGY COMMITS TO 100 PERCENT CARBON-FREE ELECTRICITY BY 2050. In December, Xcel Energy, among the largest utilities in the U.S., [announced](#) that it will provide 100 percent carbon-free electricity by 2050, and 80 percent carbon-free electricity by 2030. Xcel serves 3.6 million customers across eight states—Colorado, Michigan, Minnesota, New Mexico, North Dakota, South Dakota, Texas, and Wisconsin. A news report about Xcel's carbon-free goal is available [here](#).



LEGISLATIVE SESSION: 9 JAN 19 THROUGH 6 JAN 21 (EST)

FEDERAL ACTIVITY

SIP REVISIONS TO UPDATE NAAQS AND VOC RULES. EPA has issued a direct final rule approving SIP revisions submitted by the state of Illinois ([83 FR 65537](#)). The revisions update Illinois': (1) definitions and requirements for handling monitoring data influenced by exceptional events; (2) implementation rules for the 2012 PM_{2.5} NAAQS; and (3) designated reference and equivalent methods for multiple NAAQS. In addition, the revisions amend the Illinois Administrative Code (IAC) by updating the definition of VOC. Barring adverse comment the direct final rule becomes effective 19 FEB 19.

FINAL RULES

AMENDMENTS TO HAZARDOUS WASTE, UIC, AND MSWLF RULES. The Illinois Pollution Control Board (IPCB) has adopted multiple separate rulemakings, as part of a consolidated docket, that amend state hazardous waste, underground injection control (UIC), and municipal solid waste landfill (MSWLF) rules by incorporating amendments adopted by EPA during 2016 and 2017. IPCB has adopted amendments to:

- [35 Ill. Adm. Code 702](#) (page 26) — *Resource Conservation and Recovery Act (RCRA) and UIC Permit Program*, to incorporate elements of the Generator Improvements Rule (GIR) and the Hazardous Waste Import-Export Revisions (HWIER);
- [35 Ill. Admin. Code 703](#) (page 66) — *RCRA Permit Program*, to incorporate elements of the GIR and the HWIER;

- [35 Ill. Adm. Code 705](#) (page 252) — *Procedures for Permit Issuance*, to make several needed corrections in the text;
- [35 Ill. Adm. Code 720](#) (page 288) — *Hazardous Waste Management System: General*, to incorporate elements of the GIR, the HWIER, and the bar on claims of confidentiality for documents relating to hazardous waste exports;
- [35 Ill. Adm. Code 721](#) (page 188) — *Identification and Listing of Hazardous Waste*, to incorporate elements of the GIR, the HWIER, and the bar on claims of confidentiality for documents relating to hazardous waste exports;
- [35 Ill. Adm. Code 722](#) (page 562) — *Standards Applicable to Generators of Hazardous Waste*, to incorporate elements of the GIR, the HWIER, and the bar on claims of confidentiality for documents relating to hazardous waste exports;
- [35 Ill. Adm. Code 723](#) (page 287) — *Standards Applicable to Transporters of Hazardous Waste*, to incorporate elements of the GIR and the HWIER;
- [35 Ill. Adm. Code 726](#) (page 715) — *Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities*, to incorporate elements of the GIR and the HWIER;
- [35 Ill. Adm. Code 728](#) (page 728) — *Land Disposal Restrictions*, to incorporate elements of the GIR;
- [35 Ill. Adm. Code 733](#) (page 884), *Standards for Universal Waste Management*, to incorporate elements of the GIR and the HWIER, and make several needed corrections in the text of the rules; and
- [35 Ill. Adm. Code 810](#) (page 377), *Solid Waste Disposal: General Provisions*, to incorporate elements of the GIR and make several needed corrections in the text of the rules.

Notices for the proposed amendments were published in the July and August 2018 *Northern Reviews*. All of the amendments became effective 19 NOV 18.



LEGISLATIVE SESSION: 3 JAN 19 THROUGH 29 APR 19, SINE DIE

FEDERAL ACTIVITY

CROSS-STATE AIR POLLUTION RULE. EPA has issued a final rule to approve a SIP revision submitted by the state of Indiana concerning the CSAPR ([83 FR 64472](#)). The final rule approves the state's regulations requiring large Indiana EGUs to participate in new CSAPR state trading programs for annual NO_x, annual SO₂, and ozone season NO_x emissions integrated with the CSAPR federal trading programs. Under the CSAPR regulations, approval of the SIP revision would automatically eliminate Indiana's units' requirements under the corresponding CSAPR federal implementation plans addressing Indiana's interstate transport (or "good neighbor") obligations for the 1997 PM_{2.5} NAAQS, 2006 PM_{2.5} NAAQS, 1997 Ozone NAAQS, and 2008 Ozone NAAQS. The final rule became effective 17 DEC 18.

PROPOSED RULE

COLD CLEANING DEGREASING ALTERNATIVE. The Indiana Department of Environmental Management has [proposed](#) amendments to rules at 326 IAC 8-3-8, *Material requirements for cold cleaner degreasers*. The amendments address cold cleaning degreasing and the addition of a control device option to comply with the requirement to use a low vapor pressure solvent. Comments are due 18 JAN 19.



LEGISLATIVE SESSION: 9 JAN 19 THROUGH 31 DEC 20 (EST)

FEDERAL ACTIVITY

RESCISSION OF STATE AIR RULE. EPA has issued a proposed rule to approve the rescission of state rule 336.1221 from the Michigan SIP ([83 FR 64055](#)). Rule 336.1221 fell under Michigan's Part 2, *Air Use Approval*, rules and exempted sources that had significant net emission increases of SO₂, PM, and carbon monoxide (CO) from offset requirements. Michigan rescinded this rule in 1990. The comment period closed 14 JAN 19.

REVISIONS TO PART 1 GENERAL PROVISIONS RULES. EPA has issued a proposed rule to approve a SIP revision submitted by the state of Michigan ([83 FR 64056](#)). The SIP revision incorporates several amendments to Michigan's Air Pollution Control Rules in Part 1, *General Provisions*. The revisions include administrative changes to the existing rule. The comment period closed 14 JAN 19.

FINAL LEGISLATION

HB 4205 PROHIBITION ON STATE BEING MORE STRINGENT THAN FEDERAL REGULATIONS. HB 4205 (Public Act: 602'18) prohibits a state agency from adopting rules more stringent than the applicable federally mandated standard unless the director of that agency determines there is a "clear and convincing need" to exceed the federal standard. This requirement applies when the federal government has mandated that Michigan promulgate rules. If the federal government has not mandated that Michigan promulgate rules, then an agency could only promulgate more stringent rules if specifically authorized by statute or by the agency director to do so. The bill establishes exceptions in both cases for certain emergency rules. The bill was signed by the governor 28 DEC 18 and became effective upon signature.

HB 5854 VOLUNTARY WETLAND RESTORATION PERMIT PROGRAM. HB 5854 (Public Act: 561'18) requires the Michigan Department of Environmental Quality (MDEQ) and the Michigan Department of Natural Resources (MDNR) to develop and lead a voluntary wetland restoration (VWR) group. The group is tasked with simplifying and streamlining the permit process for projects with the intent of giving greater flexibility to agencies and organizations specializing in wetland restoration and conservation. The bill also requires the VWR group, after seeking input from agencies and organizations specializing in wetland restoration and conservation, to develop voluntary wetland restoration permit applications and guidelines to implement a VWR permit program, consistent with the bill's provisions. A notice of the bill's introduction was published in the May 2018 *Northern Review*. The bill was signed by the governor 27 DEC 18 and became effective upon signature.

SB 1244 AMENDMENTS TO STATE CLEANUP STANDARDS. SB 1244 (Public Act: 581'18) amends Part 201 of the state *Natural Resources and Environmental Protection Act* (NREPA), which is the legal framework on which Michigan cleanups are built. The amendments: (1) allow a person to submit a no further action (NFA) report before the completion of remedial actions that satisfied the requirements of Part 201; (2) modify a requirement for the director of MDEQ to establish a response activity review panel to advise on disputes, and define the term "dispute"; (3) require MDEQ, when developing and promulgating cleanup criteria for each hazardous substance, to use final toxicity values from EPA's Integrated Risk Information System (IRIS), if available; (4) require MDEQ, when developing and promulgating cleanup criteria for each hazardous substance, if final toxicity values from EPA's IRIS were not available, to follow a specified order of precedence for selecting final toxicity values; (5) require MDEQ to promulgate all generic cleanup criteria and target detection limits (with some exceptions) as rules; and (6) provide methods by which a person could evaluate, address, and manage the vapor intrusion to the indoor air inhalation exposure pathway for a hazardous substance. A notice of the bill's Senate passage was published in the December 2018 *Northern Review*. The bill was signed by the governor 28 DEC 18 and became effective upon signature.

SB 1195 FEE FOR TENORM LANDFILL DISPOSAL. SB 1195 (Public Act: 689'18) adds Section 11109 to the NREPA. The new section: (1) requires the owner or operator of a landfill to pay MDEQ a \$5 per ton fee assessed on Technologically Enhanced Naturally Occurring Radioactive Material (TENORM) disposed of in the landfill; (2) requires the landfill owner or operator to forward MDEQ the fee revenue with a specific completed form; (3) creates a TENORM Account in the Environmental Pollution Prevention Fund; (4) requires MDEQ to forward fees on TENORM disposals to the state treasurer for deposit in the TENORM Account; and (5) requires money in the TENORM Account to be spent only for purposes specified in the bill. The bill was signed by the governor 28 DEC 18 and became effective upon signature.

SB 1196 LANDFILL DISPOSAL RESTRICTIONS/REQUIREMENTS FOR TENORM. SB 1196 (Public Act: 688'18) amends Part 111 (Hazardous Waste Management) of the NREPA. The amendments: (1) prohibit a person from delivering TENORM with certain concentrations of specified radionuclides to a landfill or type II landfill for disposal; (2) prohibit the owner or operator of a landfill or type II landfill from permitting a delivery of TENORM for disposal at the landfill unless the generator provided the owner or operator of the landfill with certain information; (3) provide requirements for a request for the renewal of or a major modification to an operating license involving disposal of TENORM that exceeded certain thresholds; and (4) require the operator of the landfill or type II landfill to conduct a monitoring program if TENORM was disposed of at the landfill. The bill was signed by the governor 28 DEC 18 and became effective upon signature.



LEGISLATIVE SESSION: 7 JAN 19 THROUGH 31 DEC 20 (EST)

FEDERAL ACTIVITY

REVISIONS TO PM RULES. EPA has issued a proposed rule to approve multiple SIP revisions submitted by the state of Ohio addressing PM rules ([83 FR 63607](#)). One set of revisions address sources subject to a requirement for continuous opacity monitoring for which such monitoring is unreliable. The revisions add two alternatives. One alternative requires the source to conduct continuous emission monitoring, and the other alternative subjects the source to an alternative monitoring plan assessing compliance with limits specified for alternative parameters. Other SIP revisions remove provisions for facilities that have shut down and make non-substantive revisions to the language of the rules. The comment period closed 10 JAN 19.

REMOVAL OF OBSOLETE GASOLINE VOLATILITY REGULATIONS. EPA has issued a proposed rule to approve a SIP revision submitted by the state of Ohio ([83 FR 66196](#)). The SIP revision removes the remaining provisions of the Ohio Administrative Code (OAC) concerning the state's former 7.8 pounds psi RVP fuel requirements for the Cincinnati and Dayton areas. In a previous action, EPA approved the removal of the 7.8 psi RVP fuel applicability requirements in the Cincinnati and Dayton areas, including the approval of a demonstration under CAA section 110(l) that addressed emissions impacts associated with the removal of the program. Comments are due 25 JAN 19.

SIP REVISIONS ADDRESSING OPEN BURNING RULES. EPA has issued a proposed rule to approve SIP revisions submitted by the state of Ohio addressing the open burning standards ([83 FR 66197](#)). EPA has proposed approving the state's revised open burning rules, which include adding requirements for air curtain burners, allowing law enforcement to burn seized drugs, further restricting the materials that may be burned, and updating definitions and references. Comments are due 25 JAN 19.

REDESIGNATION OF CLEVELAND AREA TO ATTAINMENT OF 2012 PM_{2.5} NAAQS. EPA has issued a proposed rule to approve a request from the state of Ohio to redesignate the Cleveland area to attainment of the 2012 PM_{2.5} NAAQS ([83 FR 66200](#)). EPA has proposed to determine that the Cleveland area has attained the 2012 annual PM_{2.5} standard, based on the most recent three years of certified air quality data. EPA has proposed approval of a SIP revision that states the Cleveland area meets the requirements for redesignation under the CAA and for the state's maintenance plan for the 2012 annual PM_{2.5} NAAQS through 2030. Ohio's maintenance plan submission includes motor vehicle emission budgets

(MVEBs) for the mobile source contribution of PM_{2.5} and NO_x to the Cleveland area for transportation conformity purposes. EPA has also proposed approval of the MVEBs for 2022 and 2030. Comments are due 25 JAN 19.

FINAL RULE

AMENDMENTS TO AMBIENT AIR QUALITY STANDARDS. The Ohio Environmental Protection Agency (OEPA) has [adopted](#) amendments to Ohio Administrative Code (OAC) rule 3745-25-02, *Ambient Air Quality Standards*. The amendments incorporate the current NAAQS into state rules and fulfill the CAA requirements as a part of Ohio's SIP for the attainment and maintenance of the NAAQS. A notice of the draft amendments was published in the July 2018 *Northern Review*. The amendments became effective 31 DEC 18.

PROPOSED RULES

REVISIONS TO BENEFICIAL USE AND HARBOR SEDIMENT AUTHORIZATION RULES. OEPA has [proposed](#) rule revisions to [OAC 3745-599](#), *Beneficial use and harbor sediment authorization*. The revisions expand the rule to include provisions for the use, management, and placement of dredge from a federal navigation channel or connected commercial maritime port facility. These amended and new regulations allow for the director of OEPA to determine the criteria by which a harbor sediment authorization can be issued, which categorizes dredge from certain federal navigation channels and connected commercial maritime port facilities as neither a solid waste nor another waste. The comment period closed 7 JAN 19.

SERC RULE ADDRESSES APPLYING FOR ACCESS TO INFORMATION. OEPA, on behalf of the State Emergency Response Commission (SERC), has [proposed](#) a new rule [OAC 3750-90-01](#), *Applying for Access to Information*. The new rule addresses applying for access to information under Ohio Revised Code (ORC) Chapter 3750, *Emergency Planning*. A notice on the draft rule was published in the May 2018 *Northern Review*. The comment period closed 20 DEC 18.



LEGISLATIVE SESSION: 7 JAN 19 THROUGH TBD

FEDERAL ACTIVITY

TOMAH ARMORY. EPA Region 5 issued a Notice of Intent to delete the Tomah Armory Landfill Superfund Site in Tomah, Wisconsin, from the National Priorities List ([83 FR 63146](#)). EPA and the state of Wisconsin, through the Wisconsin Department of Natural Resources (WDNR), have determined that all appropriate response actions under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), other than operation and maintenance, monitoring and five-year reviews, have been completed.

OTHER REGULATORY ACTIVITY

GUIDANCE FOR SOIL EXCAVATED DURING A RESPONSE ACTION. WDNR has issued a [guidance document](#), *Exempt Soil Management: A Self-Implementing Option for Soil Excavated During a Response Action under Wis. Admin. Code chs. NR 700 through NR 750*. This document provides a self-implementing and optional approach for responsible parties and their environmental consultants to use when soil is characterized and excavated as part of a cleanup action, and the soil does not need to be managed at a licensed solid waste facility or through a site-specific exemption. The guidance document was issued 5 DEC 18.

Federal Activity

NOTICE DUE TO PARTIAL GOVERNMENT SHUTDOWN

Note that due to the partial government shutdown, information in the following Federal notices could potentially change (hearing dates, comment deadlines, agency links to information, etc.) resulting in unexpected delays, cancellations, or lack of updated information available on some government websites.

AIR

GHG PERFORMANCE STANDARDS FOR ELECTRIC GENERATING SOURCES. EPA has issued a proposed rule to amend several portions of the [2015 rulemaking, *Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units* \(83 FR 65424\)](#). Specifically, EPA has proposed to amend its previous determination that the best system of emission reduction (BSER) for newly constructed coal-fired steam EGUs is partial carbon capture and storage (CCS). Instead, EPA has proposed finding that the BSER for this source category is the most efficient demonstrated steam cycle—e.g., supercritical steam conditions for large units and subcritical steam conditions for small units—in combination with the best operating practices. In this rulemaking, EPA also proposed to:

- Revise the standard of performance for newly constructed steam generating units as separate standards of performance for large and small steam generating units that reflect EPA's amended BSER determination;
- Revise the standard of performance for reconstructed steam generating units to be separate standards of performance for reconstructed large and small steam generating units;
- Adopt separate standards of performance for newly constructed and reconstructed coal refuse-fired EGUs; and
- Revise the maximally stringent standards for large modifications of steam generating units.

Comments are due 19 FEB 19.

MERCURY EMISSIONS FROM COAL-FIRED PLANTS. EPA is proposing to revoke its prior determination that it was "appropriate and necessary" to curb releases of mercury, arsenic, and other hazardous air pollutants from coal- and oil-fired power plants. The proposal takes its cue from a 2015 Supreme Court ruling that EPA should have considered compliance costs in making the "appropriate and necessary" determination to proceed with creation of what are formally known as the Mercury and Air Toxics Standards (MATS). Text of the proposed rule is available [here](#).

RISK MANAGEMENT PLANS. The Accidental Release Prevention Requirements for Risk Management Programs under the CAA, as published in the Federal Register on [13 JAN 17](#), are in effect ([83 FR 62268](#)). The rule effective date had been postponed three times. The 2017 final amendments improve chemical process safety, assist local emergency authorities in planning for and responding to accidents, and improve public awareness of chemical hazards at regulated sources. The amendments became effective 3 DEC 18.

OZONE NONATTAINMENT AREA SIP REQUIREMENTS. EPA has issued a final rule promulgating nonattainment area and ozone transport region (OTR) implementation requirements for the 2015 Ozone NAAQS ([83 FR 62998](#)). The final rule addresses a range of nonattainment area and OTR SIP requirements for the 2015 Ozone NAAQS, including attainment demonstrations, reasonable further progress and associated milestone demonstrations, reasonably available control technology, reasonably available control measures, major NNSR, emissions inventories, the timing of required SIP submissions, and compliance with emission control measures in the SIP. According to EPA, the final rule is largely an update to the implementing regulations previously promulgated for the 2008 Ozone NAAQS. The final rule becomes effective 4 FEB 19.

ALLOCATIONS OF CROSS-STATE AIR POLLUTION RULE ALLOWANCES. EPA provided notice of the availability of preliminary lists of units eligible for second-round allocations of emission allowances for the 2018 control periods from the new unit

set-asides established under the CSAPR trading programs ([83 FR 62860](#)). Comments were due 4 JAN 19.

CSAPR GOOD NEIGHBOR PROVISIONS. EPA has issued a final rule determining that the 2016 CSAPR Update fully addresses state obligations under the CAA good neighbor provisions regarding interstate pollution transport for the 2008 Ozone NAAQS ([83 FR 65878](#)). The CSAPR Update, published 26 OCT 16, promulgated Federal Implementation Plans (FIPs) for 22 states in the eastern U.S. The determination applies to states currently subject to CSAPR Update FIPs as well as any states for which EPA has approved replacement of CSAPR Update FIPs with CSAPR Update SIPs. The final rule is effective 19 FEB 19.

CLIMATE CHANGE

ARCTIC REPORT CARD. NOAA has [released](#) its 13th annual Arctic Report Card. The report reflects on a range of land, ice, and ocean observations made throughout the Arctic during the 2018 calendar year. The report card measures the changing climate of the polar region including warmer air and ocean temperatures and declines in sea ice that are driving shifts in animal habitats. According to the report: (1) surface air temperatures in the Arctic continued to warm at twice the rate relative to the rest of the globe—Arctic air temperatures for the past five years (2014-18) have exceeded all previous records since 1900; (2) in 2018 Arctic sea ice remained younger, thinner, and covered less area than in the past; and (3) growing atmospheric warmth in the Arctic results in a sluggish and unusually wavy jet stream that coincided with abnormal weather events in both the Arctic and mid-latitudes. Notable extreme weather events coincident with deep waves in the jet stream include the heat wave at the North Pole in autumn 2017, a series of severe winter storms in the eastern U.S. in 2018, and the extreme cold outbreak in Europe in March 2018.

ENERGY

RENEWABLE FUEL STANDARD PROGRAM. EPA has set annual volume requirements for cellulosic biofuel, advanced biofuel, and total renewable fuel that are below the statutory volume targets ([83 FR 63704](#)). EPA has also established the applicable volume of biomass-based diesel for 2020. Entities potentially affected by the final rule are those involved with the production, distribution, and sale of transportation fuels, including gasoline and diesel fuel or renewable fuels such as ethanol, biodiesel, renewable diesel, and biogas. The final rule becomes effective 11 FEB 19.

REPORT EXPLORES FEDERAL INCENTIVES FOR SMALL MODULAR REACTORS. A new [report](#), funded by the U.S. Department of Energy (DOE), explores how federal incentives could encourage private sector investment in the deployment of small modular reactors. The report examines how subsidies and federal incentives, such as mandates, tax incentives, loans and research grants, stimulated the development of solar plants and wind farms. The report's authors estimate that if a similar federal program were extended to small modular reactors, the payoff could be higher than that used to deploy renewable energy.

MISCELLANEOUS

NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM REAUTHORIZATION ACT OF 2017. The [National Earthquake Hazards Reduction Program Reauthorization Act of 2017](#), PL 115-307, has been enacted. The law amends the Earthquake Hazards Reduction Act of 1977 to expand activities under the National Earthquake Hazards Reduction Program by: (1) gathering information on the ability of a community to prepare for, recover from, and adapt to earthquakes; (2) publishing a systematic set of maps of active faults and folds, liquefaction susceptibility, susceptibility for earthquake-induced landslides, and other seismically induced hazards; and (3) continuing the development of the Advanced National Seismic System, including earthquake early warning capabilities.

USGS SPECIAL-ISSUE NEWSLETTER ON ALGAL TOXINS. The U.S. Geological Survey (USGS) released a special edition of its Environmental Health Newsletter focused on [algal toxins](#). USGS scientists are working to answer the following questions:

- What are the environmental drivers of algal toxin production in freshwater and saltwater environments?
- What can be done to predict or mitigate drivers to minimize exposure and health risks?

- How often and by which pathways are humans, pets, livestock, and wildlife exposed to algal toxins?
- What are the algal toxin doses—water concentration and duration of exposure—that lead to harm for humans, pets, livestock, fish, and wildlife?
- If toxins are not produced within an algal bloom, what are the other unwanted effects—taste, odor, fouling, and dissolved oxygen depletion—and how can they be mitigated?

NATURAL RESOURCES

2018 NATIONAL PRESCRIBED FIRE USE SURVEY REPORT. The National Association of State Foresters and the Coalition of Prescribed Fire Councils have released the [2018 National Prescribed Fire Use Survey Report](#). The report, compiled every three years, addresses challenges that state agencies navigate in managing fire programs. The 2018 survey results showed 11.3 million acres were treated with prescribed fire in 2017. Eighty percent of the acreage was burned to meet forestry objectives with the balance related to agriculture. Weather, capacity, and air quality/smoke management remain the top three impediments for prescribed fire implementation. Only one state chose the wildland-urban interface (WUI) as the number one limitation on the use of prescribed fire, and WUI was the impediment category with the fewest states listing it among the top three impediments. The survey documents for the first time the degree of liability as defined in each state's prescribed fire statute(s). Five states have no prescribed fire law, and only seven states have the highest degree of liability protection in the form of gross negligence laws.

THREATENED AND ENDANGERED SPECIES

12-MONTH FINDINGS FOR PETITIONS TO LIST 13 SPECIES. The U.S Fish and Wildlife Service (FWS) has announced 12-month findings on petitions to list 13 species as endangered or threatened ([83 FR 65127](#)). FWS has determined that it will not list the Cedar Key mole skink, Florida sandhill crane, Fremont County rockcress, Frisco buckwheat, Ostler's peppergrass, Frisco clover, MacGillivray's seaside sparrow, Ozark pyrg, pale blue-eyed grass, San Joaquin Valley giant flower-loving fly, striped newt, Tinian monarch, and Tippecanoe darter. The finding was made 19 DEC 18. For information about each of the affected species, including its distribution, follow the link to the Federal Register notice.

TOXICS

SIGNIFICANT NEW USE RULES WITHDRAWN. In response to adverse comment, EPA has withdrawn significant new use rules (SNURs) for 26 chemical substances that were the subject of premanufacture notices under the Toxic Substances Control Act ([83 FR 62463](#)). The withdrawal became effective 3 DEC 18. The list of chemicals affected by this action is available [here](#). In a second action, EPA promulgated SNURs for an additional [28 chemicals](#), effective 10 DEC 18.

BERYLLIUM STANDARDS FOR GENERAL INDUSTRY. The Occupational Safety and Health Administration (OSHA) has issued a proposed rule to modify comprehensive general industry standards for occupational exposure to beryllium and beryllium compounds, as adopted in [January 2017](#) ([83 FR 63476](#)). OSHA has proposed clarifications and simplifications to the standards. Comments are due 11 FEB 19.

INTERAGENCY CONSULTATIONS ON PESTICIDE REGISTRATIONS. Under the terms of a proposed agreement, EPA will complete Endangered Species Act (ESA) effects determinations for registration of the pesticides clothianidin and thiamethoxam and, as appropriate, request initiation of any ESA consultations with the FWS that EPA may determine to be necessary as a result of those effects determinations ([83 FR 63865](#)). The effects determinations are to be completed by 30 JUN 22. The proposed agreement is in response to a court case claiming that EPA failed to consult with FWS prior to issuing registrations for certain pesticides. Comments on the proposed agreement were due 11 JAN 19.

FEDERAL ACTION PLAN TO REDUCE CHILDHOOD LEAD EXPOSURE. In December, a presidential task force released the [Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts](#). The action plan identifies actions being taken by various federal agencies with regard to childhood exposure to lead.

WASTE

WASTE PHARMACEUTICALS RULE. In December, EPA released the text of the final rule, [*Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine*](#). The final rule establishes streamlined standards for handling hazardous waste pharmaceuticals to better fit the operations of the healthcare sector. The final rule, which prohibits sewerage of waste pharmaceuticals, is predicted to reduce the amount of waste pharmaceutical entering waterways by 1,644 to 2,300 tons annually. In addition, Federal Drug Administration (FDA)-approved, over-the-counter nicotine replacement therapies (i.e., nicotine patches, gums and lozenges) will no longer be considered hazardous waste when discarded. The final rule reaffirms EPA's long-standing policy that non-prescription pharmaceuticals and other unsold retail items that have a reasonable expectation of being legitimately used/reused or reclaimed are not solid waste. It also provides regulatory certainty that RCRA applies when healthcare facilities send unused, unsaleable prescription hazardous waste pharmaceuticals to reverse distributors to receive manufacturer credit. Simultaneously, the rule incorporates flexibilities to accommodate current reverse distribution business practices to facilitate its implementation. A webinar on the final rule is scheduled for 23 JAN 19.

E-MANIFEST FREQUENTLY ASKED QUESTIONS (FAQS). EPA has published new FAQs about the e-Manifest system. The FAQs include questions on use of the e-Manifest system, discrepancy reporting, and rejected wastes. The e-Manifest FAQ page can be found [here](#).

WATER

WATERS OF THE U.S. EPA and U.S. Army Corps of Engineers have [released](#) the text of a proposed rule to clarify the scope of waters federally regulated under the Clean Water Act (CWA). The proposed rule would replace the 2015 definition of Waters of the United States; i.e., those waters subject to the CWA, with a narrower definition, based on navigable waters. Under the proposed rule, ephemeral streams, which only flow after rain or snow, and wetlands without continuous surface water connections to waters would not be considered waters of the U.S. According to the U.S. Geological Survey, ephemeral streams make up about 18 percent of waterways nationwide, but they are more common in seven Colorado River Basin states. In Nevada, 85 percent of streams are ephemeral; in New Mexico, 66 percent; and in Arizona, 51 percent. A webcast was held 10 JAN 19. A public hearing for interested parties to present data, views, or information is scheduled for 23 JAN 19 ([83 FR 67174](#)). The agencies will take public comment on the proposal for 60 days following publication in the Federal Register. For more information, click [here](#).

REPORT TO CONGRESS—WATERS OF THE U.S. The Congressional Research Service released a report to Congress titled, [*Waters of the United States \(WOTUS\): Current Status of the 2015 Clean Water Rule*](#). The report explains although the CWA protects "navigable waters," which it defines as "the waters of the United States, including the territorial seas," the law does not define the term waters of the United States. Therefore, USACE and EPA have defined the term in regulations several times as part of their implementation of the act. The report goes on to explain how Supreme Court rulings have affected agency actions to implement the CWA via the Clean Water Rule.

S. 3760—DEFENSE OF ENVIRONMENT AND PROPERTY ACT OF 2018. The bill narrowly defines which wetlands and waterways are covered by the CWA. It defines "waters of the U.S." as only waters that are "navigable in fact" or have permanent, standing, or continuously flowing water. The bill was referred to the Environment and Public Works Committee.

WATER QUALITY CRITERIA—ALUMINUM. EPA has announced the availability of final updated Aquatic Life Ambient Water Quality Criteria for Aluminum in Freshwater ([83 FR 65663](#)). Water quality criteria are used by states and authorized tribes to establish water quality standards for specific water bodies under authority of the CWA. The recommended criteria concentrations for aluminum in freshwater to protect aquatic life depends on a site's water chemistry parameters. Rather than a single value, the final 2018 recommended national criteria are now based upon Multiple Linear Regression models for fish and invertebrate species to quantify the effects of these water chemistry parameters on the bioavailability and associated toxicity of aluminum to aquatic organisms. The 1988 criteria values of 87

micrograms per liter (µg/L) for chronic exposure, and 750 µg/L for acute exposure have been replaced with site-specific results, which may range widely.

STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES. All 10 EPA Regional Offices have proposed to modify the 2017 National Pollutant Discharge Elimination System (NPDES) general permit for stormwater discharges from construction activities, also referred to as the 2017 Construction General Permit (CGP) or 2017 CGP ([83 FR 63858](#)). The modifications are intended to clarify the intent of several requirements and ensure consistency with the Construction and Development Effluent Limitations Guidelines and New Source Performance Standards. The proposed modifications, if finalized, would replace several existing conditions in the 2017 CGP and require modification of relevant fact sheet sections, but would not affect any other terms and conditions of the existing permit, including: 1) the eligible coverage area; 2) the number or type of entities eligible to be covered by the permit; or 3) the five-year permit term of the current 2017 CGP. Comments are due 28 JAN 19. Visit the website for [Stormwater Discharges from Construction Activities](#) to learn more or to view the draft proposed permit modifications.

DESALINATION RESEARCH AND DEVELOPMENT INITIATIVE. DOE has [announced](#) it is establishing an Energy-Water Desalination Hub to address water security issues in the U.S. The hub, funded with \$100 million, will focus on desalination research and development to provide low-cost alternatives that treat “non-traditional” water sources such as seawater, brackish water, and produced waters for use in municipal and industrial water supplies, or to serve other water resource needs. The DOE Office of Energy Efficiency and Renewable Energy’s Advanced Manufacturing Office will lead the Energy-Water Desalination Hub. DOE will fund one new five-year award, subject to appropriations. The hub team will work to achieve the goals of four technical topic areas: 1) materials research and development; 2) new processes research and development; 3) modeling and simulation tools; and 4) integrated data and analysis. To view the funding application and submission requirements for the Energy-Water Desalination Hub, click [here](#). Concept papers are due 7 FEB 19.

Department of Defense Activity

PRESIDENTIAL MEMORANDUM ESTABLISHING NEW SPACE COMMAND. President Trump issued the memorandum, *Establishment of United States Space Command as a Unified Combatant Command* ([83 FR 65483](#)). The memorandum directs the establishment of the United States Space Command as a functional Unified Combatant Command. The memorandum also directs the Secretary of Defense to recommend officers for nomination and Senate confirmation as Commander and Deputy Commander of the new United States Space Command. In a related action, Defense News [reports](#) that the new Space Force may reside under the Department of the Air Force.

2019 REPI CHALLENGE REQUEST FOR PRE-PROPOSALS. The 2019 Readiness and Environmental Protection Integration (REPI) Challenge seeks to leverage public and private funds that enhance installations and ranges that host key capabilities identified in the National Defense Strategy. The 2019 REPI Challenge is open to all eligible partners at DOD installations and will award up to \$15 million by July 2019. All REPI Challenge pre-proposals will be coordinated with the military services and are due 25 JAN 19. Pre-proposals that are approved will then be invited to submit full proposals. Applicants will be notified of their pre-proposal status no later than 22 FEB 19. The 2019 REPI Challenge Request for Pre-Proposals and the downloadable PDF pre-proposal form are available through the U.S. Endowment for Forestry and Communities [website](#). The REPI website is available [here](#).

PILOT PROJECTS FOR BENEFICIAL USE OF DREDGED MATERIAL. USACE selected 10 proposed projects for beneficial use of dredged material ([83 FR 67239](#)). The 10 projects were selected as having a high likelihood of delivering environmental, economic, and social benefits described in the proposals, and exhibit geographic diversity.

Professional Development

DOD TRAINING SOURCES

US ARMY CORPS OF ENGINEERS PROSPECT TRAINING (CLASSROOM). USACE announces course availability for the Fiscal 2019 PROSPECT (i.e., [Proponent-Sponsored Engineer Corps Training](#)) program. Courses are open to federal, state, county, and city employees and contractors. There are different registration processes for each entity. Please refer to the [course catalog](#) and list of classes and [schedule](#) for details. Environmental courses include, but are not limited to:

- CERCLA/RCRA Process (Course Control Number (CCN) [356](#))
- Environmental Laws and Regulations (CCN [170](#))
- Environmental Regulations Practical Application Course (CCN [398](#))
- Environmental Remediation Technologies (CCN [395](#))
- Hazardous Waste Manifesting/DOT Certification (CCN [223](#))
- Hazardous Waste Manifesting 16-Hour DOT Recertification Course (CCN [429](#))
- Hazardous/Toxic and Radioactive Waste Construction Inspection (CCN 141)
- Radioactive Waste Transport (CCN [441](#))
- The Complete RCRA Course (Hazardous Waste Generation, Management, and Corrective Action) (CCN [226](#))

2018 REPI WEBINAR SERIES (ONLINE). DOD's REPI Program webinars showcase best practices, tutorials, and knowledge sharing on REPI partnerships that support military missions and accelerate the pace and rate of conservation. Unless otherwise noted, all webinars begin at 1:00 pm Eastern. Past webinars are archived for later viewing.

SERDP AND ESTCP WEBINAR SERIES (ONLINE). The DOD environmental research and development funding programs Strategic Environmental Research and Development Program (SERDP) and Environmental Security Technology Certification Program (ESTCP) launched a webinar series to promote the transfer of innovative, cost-effective, and sustainable solutions developed using SERDP and ESTCP funding. Webinars are offered every two weeks. Most webinars feature two 30-minute presentations and interactive question and answer sessions, on topics targeted for DOD and DOE audiences.

AIR FORCE INSTITUTE OF TECHNOLOGY (AFIT) TRAINING COURSE, QUALIFIED RECYCLING PROGRAM MANAGEMENT (CLASSROOM). This Interservice Environmental Education Review Board (ISEERB) designated course emphasizes principles and techniques to assist students in implementing a sound Qualified Recycling Program (QRP). The course focuses on learning what products can be recycled, products prohibited from recycling, QRP regulations, necessary processing equipment, collection and sorting methods to maximize returns, working with your Defense Reutilization and Marketing Office, establishing contracts, recording transactions, DOD recordkeeping, and estimating future budgets.

NAVY AND ISEERB ENVIRONMENTAL TRAINING (CLASSROOM). Course topics in the Navy and ISEERB Environmental Training schedule include environmental management, basic and advanced environmental law, sustainability, pollution prevention, restoration, conservation, supplemental and internet/computer-based training.

AIR FORCE CIVIL ENGINEERING SCHOOL TRAINING (CLASSROOM/ONLINE). The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the U.S. government. Fees vary according to personnel status (i.e., active duty Air Force/civilian, other U.S. government employee, contractor).

FEDERAL TRAINING SOURCES

4-5 MAR 19, GAITHERSBURG, MD: WORKSHOP ON COMPUTATIONAL MODELS FOR LARGE OUTDOOR FIRES. The National Institute of Standards and Technology will host the workshop to discuss the current state of measurement science gaps in implementing computational tools to model large scale outdoor fires, such as those found in the wildland and wildland-urban interface communities. Portions of the workshop will be available via web broadcasting.

21-22 MAY 19, CHAMPAIGN, IL: 2019 EMERGING CONTAMINANTS IN THE ENVIRONMENT CONFERENCE. The Illinois Sustainable Technology Center and the Illinois-Indiana Sea Grant are cohosting the conference. The conference will expand beyond the aquatic environment to also include air and soil studies along with effects on human and animal health. The conference will feature presentations on the latest in emerging contaminant research, policies, and outreach.

EPA SUSTAINABLE MATERIALS MANAGEMENT ACADEMY (ONLINE). Learn about key issues, successful projects, and a variety of best management practices for creating waste management programs, from the series of live and archived webinars. Building on the familiar concept of [Reduce, Reuse, Recycle](#), sustainable materials management is a systemic approach that seeks to reduce materials use and their associated environmental impacts over their entire life cycle, starting with extraction of natural resources and product design and ending with decisions on recycling or final disposal. The format is a formal presentation followed by a question and answer session.

SUSTAINABLE ACQUISITION FOR FEDERAL AGENCIES (ONLINE). The two-hour course provides staff involved in specifying and purchasing with a thorough introduction to compliance requirements, processes, and tools for procuring sustainable products and services. Participants will receive specific guidance in how to meet executive order and Federal Acquisition Regulation requirements and understand how sustainable acquisition benefits their agency, community, and the environment.

SUSTAINABLE ACQUISITION TRAINING RESOURCES (ONLINE). The interagency federal Sustainable Acquisition & Materials Management Practices Workgroup compiled a spreadsheet of sustainable acquisition training resources developed or hosted by federal agencies that are available to government employees, businesses, and non-governmental organizations.

FEMP eTRAINING COURSES (ONLINE). FEMP offers interactive, eTraining courses to help federal agencies develop core competencies and comply with energy efficiency, renewable energy, water management, and sustainability requirements. FEMP is partnering with the National Institute of Building Sciences' Whole Building Design Guide to host these comprehensive, FEMP-developed eTraining courses.

WATER/WASTEWATER UTILITY ALL-HAZARDS BOOTCAMP TRAINING (ONLINE). Hosted by EPA, this training course is designed for water and wastewater employees responsible for emergency response and recovery activities. It also explains why and how to implement an all-hazards program, and will cover prevention and mitigation, preparedness, response, and recovery.

COOPERATIVE FEDERALISM WEBINAR (ONLINE). The Environmental Council of the States (ECOS) released a webinar, available on demand, highlighting ECOS' [paper](#) on Cooperative Federalism 2.0 and offering a deeper look into the EPA-state relationship.

RESTORATION WEBINAR SERIES (ONLINE). This webinar series is produced by a partnership between the National Oceanic and Atmospheric Administration and the U.S. Fish and Wildlife Service.

INTERAGENCY CONSULTATION FOR ENDANGERED SPECIES (CLASSROOM). Hosted by FWS, participants acquire basic information on conducting interagency consultation under Section 7 of the Endangered Species Act. Key information needs and procedures are addressed, with a focus on the information needs related to biological assessments and biological opinions. Lectures and discussion emphasize interagency exchange of information and solutions to support species conservation. Action-agency biologists and consultants are welcome to attend.

GUIDING PRINCIPLES FOR SUSTAINABLE BUILDINGS (ONLINE). DOE's Federal Energy Management Program (FEMP) is offering a five-course training series that provides updated guidance for complying with the 2016 Guiding Principles for Sustainable Federal Buildings. The series is web-based and offered on demand.

SMALL DRINKING WATER AND WASTEWATER SYSTEMS WEBINAR SERIES (ONLINE). EPA's Office of Research Development and Office of Water are hosting a monthly webinar series to communicate EPA's current small systems research along with agency priorities. The site also includes an archive of past webinars.

ENERGY MANAGEMENT BASIC TRAINING: TOOLS AND RESOURCES FOR RESULTS (ONLINE). FEMP offers this course to provide civilian and military personnel with a concise overview of federal energy management, and the most current tools and resources for success. The instructors serve within the Army's Facilities Policy Division of the Office of the Assistant Chief of Staff for Installation Management.

FEDERAL FACILITIES ENVIRONMENTAL STEWARDSHIP AND COMPLIANCE ASSISTANCE CENTER (ONLINE). FedCenter.gov is the federal government's home for comprehensive environmental stewardship, compliance assistance, and professional development information. FedCenter.gov provides a wide variety of information, such as: (1) program development (e.g., environmental management systems, green procurement program); (2) federal and state regulatory requirements for various facility activities; (3) access to [environmental assistance](#); (4) free [FedCenter-sponsored courses](#); (5) applicable laws and Executive Orders; and (6) [Partnerships](#). FedCenter also provides member assistance services such as collaboration tools for workgroups, environmental reporting tools, and daily newsletter and subscription services.

INTERSTATE TECHNOLOGY AND REGULATORY COUNCIL (ITRC) TRAINING (CLASSROOM/ONLINE). ITRC is a state-led coalition of regulators, industry experts, academia, citizen stakeholders, and federal partners from all 50 states and the District of Columbia that supports new approaches to cleanup projects. ITRC offers internet-based training and hosts nationwide classroom training. Topics span the full spectrum of remediation and compliance subjects. The internet-based training is supported by ITRC technical and regulatory guidance documents and is hosted with EPA's Technology Innovation and Field Services Division. For a listing of current classes and to register, visit [EPA's Clu-In Web page](#). The nationwide classroom training courses are often provided with an ITRC member state and provide participants with face-to-face training, hands-on problem solving, and engaging real-world site applications. Visit the [ITRC training website](#) for specific training topics and scheduled events. The ITRC PFAS team has planned a series of training events led by experts from state and federal agencies, academia, and private industry. Upcoming event locations include Michigan, Atlanta and Boston. Information on the PFAS training can be found [here](#).

EPA TMDLS AND NPDES PERMITTING WEB-BASED TRAINING MODULES (ONLINE). EPA has developed three web-based training modules on topics related to total maximum daily loads (TMDLs) and NPDES permitting. The presentations are intended for TMDL developers and NPDES permitting staff to gain a better understanding of TMDL implementation through NPDES permits. Each module is offered as a recorded presentation that enables participants to review the material on demand in a self-paced environment. The modules are also available as unrecorded presentations with slides and scripts. Each recorded session is approximately two hours long.

AVERT TUTORIAL (ONLINE). EPA launched its on-demand training on how to use its avoided emissions and generation tool (AVERT). AVERT estimates the potential of energy efficiency/renewable energy programs to displace electricity system-related SO₂, NO_x, and CO₂ emissions in the continental U.S. The tool can be used to evaluate county-, state-, and regional-level emissions displaced by energy efficiency and renewable energy programs without the need of specialized resources or electricity system expertise.

CLIMATE CHANGE SCIENCE AND MANAGEMENT WEBINAR SERIES (ONLINE). The U.S. Geological Survey's National Climate Change and Wildlife Science Center is partnering with the National Conservation Training Center to offer the webinar series to inform scientists, land managers, and the public about potential and predicted climate change impacts on fish and wildlife, and to help guide resource management decisions across the U.S. Video recordings with closed captioning are made available one to two weeks after each presentation.

BEST PRACTICES FOR COMPREHENSIVE WATER MANAGEMENT FOR FEDERAL FACILITIES TRAINING (ONLINE). The training is provided by FEMP and provides federal facility and energy managers with knowledge and skills to assist in meeting water-related legislative and executive order requirements. Participants develop skills in increasing water efficiency, and reducing water use through sound operations practices and water-efficient technologies. Water metering is covered, as well as life-cycle costing and establishing the overall economics for strategic water management.

UTILITY ENERGY PROJECT INCENTIVE FUNDS (ONLINE). This FEMP course teaches federal agency personnel about financing the capital costs of energy improvement projects from savings generated through energy efficiency measures funded by utilities, public benefit funds, and other resources. This training opportunity targets federal energy, environmental, and fleet professionals and is offered at no cost by leading experts. The training session is delivered live via satellite or through streaming media.

NPDES TRAINING COURSES AND WORKSHOPS (CLASSROOM/ONLINE). Training courses, workshops, and webcasts explain the regulatory framework and technical considerations of the NPDES permit program. They are designed for permit writers, dischargers, EPA officials, and other interested parties.

Staff Directory

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How the Regional Offices Work for You

The Army Regional Environmental and Energy Offices' close cooperation between the military and regional policymakers helps to resolve issues *before* they become laws and regulations.

The REEOs monitor proposed state environmental and energy laws and regulations for impacts to installation missions. When legislation or a regulation important to the Army or DOD is being developed, REEOs work with the other military Services to assure that DOD and Services' interests are represented.

To comment on items in the *Northern Review*, please contact the Regional Environmental Coordinator listed at the top of each region's section.

To be added to the *Northern Review* distribution list, email the [Regulatory Affairs Specialist](#).

